

*United States Court of Appeals  
for the Second Circuit*



**APPELLANT'S  
BRIEF &  
APPENDIX**



76-7299

UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT

76C - 7299

9-7-76

Case Title: 28 USC 1343

Conspiracy to destroy the life of the Appellant

APPEAL; PETITION FOR REVIEW

U.S. District Court  
Eastern Division of New York

BRIEF FOR APPELLANT; APPENDIX; EXHIBITS

Miss Mae M. Smith  
APPELLANT PRO SE

83-06 Vietor Avenue  
c/o Coleman Family  
Elmhurst, New York 11373



B

BRIEF --TABLE OF CONTENTS: RULE 28: (a):

	<u>PAGE(S)</u>
(2) Statement of the Issues for Review	1 to 4
(3) Nature of the Case	4 to 6
(3) Course of the Proceedings	7
(3) Disposition in the Court below	7
(3) Facts Relevant to the Issues	7 to 17
(4) Summary	18 & 19
(4) Argument	20 to 29
(5) Precise Relief Sought	30 & 31

Appendix -- Rule 30 (a) to (d)

Exhibits -- Rule 30 (e)

ISSUES PRESENTED FOR REVIEW:

1.

- (a) The Attorneys for the Appellees (hereafter called "The Attorneys") say, "Appellant fails to state a claim upon which relief can be granted."
- (b) The Attorneys say, "Statutes of limitations and doctrine of latches."
- (c) The Attorneys, and Oscar G. Rubin, Esq., Appellee Pro Se, say, "Denies knowledge or information with regard to each and every allegation."
- (d) The Attorneys say, "This action can not be grounded upon diversity of citizenship."
- (e) The Attorneys say, "The U.S. District Court does not have subject matter jurisdiction."
- (f) Irwin Warren, Esq, of Weil, Gotshal, and Manges, Esqs., for Appellee, Kenyon & Eckhardt, Inc., says, "Defamation is the GRAVAMEN of the Appellant's complaint against the Appellees."
- (g) TWICE Judge Mark A. Costantino sent this case OUT of the U.S. District Court based on F.R.C.P. --Rule 8 (e) (1). The FIRST time in March, 1976 the Appellant was given the right to replead. The SECOND time the case was dismissed entirely.
- (h) Judge Mark A. Costantino added to the allegations against the Appellant in HIS Court Order dated June 1, 1976, and said HE was concerned about the COSTS of the legal case to the wealthy Appellees.

ISSUES: continued:

2.

(i) LIBEL by Frederick V. Behrends, FBI Agent, to the FBI and to the Office of the U.S. Attorney, Eastern District of N.Y. found in the Docket Files for 75C-2060 when the Appellant had to file the papers to be sent to the U.S. Court of Appeals. Also, SLANDER given to Frederick V. Behrends by Miss Mildred Liebmann, age 54, and by Miss Irene D. Woods, age 50, of ENGELHARD HANOVIA, INC., who were EMPLOYEES of Anglo American Corp. of South Africa (N.A.) Ltd. when the Appellant was employed from July 12, 1965 through May 31, 1969. Did these WOMEN sign their statements?

(j) According to Cyril J. Hyman, Esq., Assistant U.S. Attorney, FBI Agents are IMMUNE from suits against them for SLANDER, and there are Federal Laws which say so. INCREDIBLE! AND also according to Cyril J. Hyman, Esq., a USA CITIZEN who visits a psychiatrist's office for medical hypnosis (medical regression) and pays his/her money to try to help legal authorities to catch a CRIMINAL should be condemned for visiting the office of any psychiatrist. N.B.: Judge Costantino on May 26, 1976 got HIS laugh-in from this too! IN COURT!

(k) Does Doctor Hyman Chartock, psychiatrist, have the USA right by any City, State, or Federal LAW to take \$300.00 from any USA CITIZEN for medical regression to catch a CRIMINAL, and then LIE to the customer (patient) about what HE has learned so that HE will NOT get involved against a CRIMINAL? Does Chartock have the right to take a customer's (patient's) MONEY under false pretenses? Does Chartock have the right to withhold in-

ISSUES: continued:

3.

formation about an ARSONIST and ATTEMPTED MURDERER who is still on the loose?

(l) Does Doctor Hyman Chartock, psychiatrist, Appellee, have the right to withhold from the U.S. Court of Appeals the PERJURY told to him in May/June, 1975 as FACT by Frederick V. Behrends, FBI Agent, Appellee?

(m) Is any lawyer, Oscar G. Rubin, Esq., Appellee, immune from prosecution for vilifying the good name of the Appellant, Mae M. Smith; and for vilifying the GOOD NAME of the deceased FATHER of the Appellant when the FATHER is NOT alive to defend HIS NAME?

(n) Does Oscar G. Rubin, NYC lawyer, Appellee, have the USA right to take FEES from the Appellant, Mae M. Smith, and then rob the Appellant of all civil rights by using slander and perjury against the Appellant? Do Delia Craven Smith, and Anne Smith, Appellees, have the right to rob the Appellant of all civil rights by using projections of THEIR personal lives against the Appellant?

(o) Do the other Smith family members, Appelles, have the right to be co-conspirators with Oscar G. Rubin, Esq., and Delia Craven Smith, and Anne Smith, Appellees, to rob the Appellant of all civil rights because the Appellant refuses to associate with them?

(p) Does any employment agency have the right to use CALUMNY against any Client, especially when the SLANDER has absolutely nothing to do with the employability of the Client? (Theresa M. Burke Employment Agency and Snelling and Snelling Employment Agency, Appellees).

ISSUES: continued:

4.

(q) Do EMPLOYERS, Appellees, and LANDLORDS, one Appellee, have the right to use psychopathic lies as REFERENCES for any USA citizen, when they make NO effort to determine whether or not they were told the truth, and when they make NO effort to investigate the character of the SLANDERERS? Do they have the right to rob any USA citizen of all civil rights by doing so?

(r) Does any credit agency, Retailers Commercial, Appellee, have the right to try to invade the privacy of the Appellant in June, 1965 based on false premises?

(s) Does any APPELLEE have the right to commit arson and attempted murder in December, 1974 to stop the Appellant from trying to clear her good name?

(t) Does Darlene Ziomek, Appellee, have the right to invade the privacy of the Appellant in 1968 by removing the Personnel Files of the Appellant from a locked drawer to read them? She had NO authorization to do this. WHO is the DOCTOR Miss Ziomek says is named in those files as a SLANDERER?

(u) PLEASE! U.S. Court of Appeals put ALL OF US under OATH! Until May 26, 1976 in the U.S. District Court, the Appellant was NOT aware that Attorneys did NOT have to tell the truth IN COURT and in their writings to the COURT unless they are under OATH!

-----

STATEMENT OF THE CASE:

NATURE OF THE CASE:

(1) Absolute destruction of the LIFE of the Appellant, Mae M.

NATURE OF THE CASE: continued:

5.

Smith, by the mother, Appellee, Delia Craven Smith, because the BIRTH of the Appellant gave away facts about the premarital life of the mother. Rule 12 (f) F.R.C.P. prevents the Appellant from naming the two diseases involved. In April, 1972 the Appellant learned this information from an EYES SPECIALIST, and more after that from reading.

(2) From 1946 or before Delia Craven Smith, Appellee, has been involving ALL APPELLEES in her madness to destroy the Appellant as she did the FATHER of the Appellant from 1919 through 1957. The Appellant LEFT her battered-child parental apartment, which was NEVER a home, before the Appellant reached 21 years of age.

(3) ALL APPELLEES chose to get involved in the CONSPIRACY against the Appellant, Mae M. Smith, and ALL EMPLOYERS APPELLEES were told the CALUMNY by each previous employer, plus Oscar G. Rubin, Esq., plus Delia Craven Smith, Appellees --starting with 1954. CONSPIRACY through collective action is a FELONY! Also, ALL of the Smith family members, Appellees, who did NOT make the phone calls KNEW every inch of the way what was being done by the others to the Appellant, Mae M. Smith. Moreover, EVERY Personnel Person in EVERY OFFICE from 1954 through 1976 passed on the CALUMNY to ALL coworkers of the Appellant, who acted against the Appellant.

(4) CIVIL RIGHTS: The Appellant was forced to go from job to job, and from apartment to apartment to try to get away from CALUMNIATORS! Also, the Appellant was prevented from marrying and having or adopting children. Then from 1955 through 1964 Oscar G. Rubin, Esq.

NATURE OF THE CASE: continued:

6.

OBSTRUCTED JUSTICE by telling the Appellant, "NOTHING can be done for you LEGALLY." RUBIN, Appellee, "chilled the will to act" because allegedly HE IS a legal "authority". Then when the Appellant learned that RUBIN was and is GUILTY, the Appellant could NOT get a lawyer to take the case against another lawyer. Yet, without RUBIN'S involvement the Appellant could have gotten a lawyer many years ago. Since this case has been in Court, the Appellant can NOT get a lawyer to help her to defend herself because there is a NYC LAWYER, RUBIN, involved, and the many years have brought in more and more powerful opponents for the Appellant. Because these corporations are FEARED for their POWER, the Appellant can NOT get legal help, and could NOT get JUSTICE in the U.S. District Court!

(5) EXTORTION: IF the Appellant, Mae M. Smith, continues to associate with, and give money and gifts to, and promises NOT to be ashamed of the SMITH FAMILY MEMBERS, THEY may not VILIFY the Appellant, and rob her of all civil rights! MAYBE! IF the Appellant becomes the FILTHY MISTRESS of NYC LAWYER, RUBIN, against all of HER high principles, RUBIN, Appellee, may not VILIFY the Appellant, and rob her of all civil rights. MAYBE! IF the Appellant remains with any of the EMPLOYERS APPELLEES, in lieu of trying to better herself, and get away from CALUMNIATORS, THEY will VILIFY HER only within each company, and NOT to FUTURE employers. SOME CHOICE! ALL APPELLEES chose to become judges, juries, and executioners!

(6) 28 USC 1343 says the U.S. District Court rules this case!  
-----

THE COURSE OF THE PROCEEDINGS:

7.

The Attorneys for the Appellees wrote rebuttals to the Appellant, and the Appellant replied every time. Also, some of the Attorneys pleaded in person with Judge Mark A. Costantino that he dismiss the case for their Clients, and Appellees Pro Se did the same. On May 26, 1976 SOME of the Attorneys for the Appellees and the Appellant met in Court before Judge Costantino for a very short time. NO Court Reporter came to record the proceedings; Miss Ellen Cole-man recorded and signed them for the U.S. Court of Appeals. SOME information was left out; NOT important I assume it to be. The Court Session that day was a laugh-in for the Judge and the Attorneys for the Appellees, with Judge Costantino the chief comedian. A severe traumatic shock for the Appellant.

-----

DISPOSITION IN THE COURT BELOW:

Case dismissed by Judge Mark A. Costantino by written Court Order dated June 1, 1976. NO copy of this was mailed to the Appellant UNTIL June 7, 1976 when the Appellant phoned Bruce Deerson, Law Clerk to Judge Costantino.

-----

FACTS RELEVANT TO THE ISSUES PRESENTED FOR REVIEW:

(a) Appellant DID state claims upon which relief can be granted.

SEE: page 31 of the repleading dated April 22, 1976. SEE ALSO:

pages 30, 31 of BRIEF. Number 7 is no longer necessary. As long as the Appellees could disgrace me publicly, they can also clear my good name publicly. And as long as they/<sup>it</sup> right to rob me of the valid fruits of my labor, they can compensate for that and for my destroyed life. MUCH that THEY have done to me can NOT be undone.

FACTS RELEVANT TO THE ISSUES:

8.

Only when these things can be accomplished will I ever forgive any person involved: (1) 25 years of MARRIAGE for ME starting with my mid to late 20's; (2) The right to bear my own children. (3) The right to the business and social successes I could have had from 1946 through 1976. (4) UNDO the incredible HELLS in OFFICES from 1954 through 1976 caused by the MOST MENTALLY ILL PEOPLE IN THE USA! THESE reliefs you can NOT grant ME.

(b) Attorneys for the Appellees claim statutes of limitations and doctrine of laches. The very strict religious beliefs of the Appellant and the high standards of integrity of the Appellant "chilled the will to act" by having the SMITH FAMILY investigated from 1949 through 1953, when Miss Florence Klosowski, a coworker in STOUFFERS, pleaded with the Appellant "to break away from the ENTIRE SMITH FAMILY before THEY would drag ME down to THEIR LOW LEVEL." ONLY in the eyes of CORRUPT EMPLOYERS, the Appellees, have the SMITHS and Oscar G. Rubin, Esq. dragged down the Appellant! RUBIN is a "little tin HITLER" who can gain prestige in HIS CORRUPT MIND by VILIFYING RELIGIOUS WOMEN! IF this were NOT true, RUBIN would have vilified the immoral, destructive SMITH FAMILY MEMBERS and NOT the APPELLANT! EVERY APPELLEE in this case KNOWS the Appellant IS telling the TRUTH!

From February, 1955 through March, 1964 when the Appellant kept pleading for LEGAL HELP against CALUMNIATORS from Oscar G. Rubin, RUBIN kept telling the Appellant, "NOTHING can be done for you LEGALLY." And since RUBIN is a legal "authority" RUBIN "chilled the will to act" by the Appellant. THIS CASE COULD HAVE ENDED

FACTS RELEVANT TO THE ISSUES: continued:

9.

IN 1955! And ALL Appellees from 1959 onward would NOT have been involved! RUBIN gave weight to the PERJURY with HIS job title and PROFESSION. While YOU ATTORNEYS for the APPELLEES owe allegiance to the colleague lawyers, FOR FEES you Attorneys also owe allegiance to YOUR CLIENTS! AND by YOUR shielding RUBIN, YOU are acting AGAINST the best interests of YOUR CLIENTS!

From March, 1964 through 1975 when this case got into Court, the Appellant pleaded both locally and nationally, and internationally for LEGAL HELP! Although the Appellant got replies telling her that she was and is believed, the Appellant got NO LEGAL HELP! Also, during that same period the Appellant pleaded with the Grievance Committee and ALL Presidents of the NYC Bar Association to INVESTIGATE and ACT AGAINST Oscar G. Rubin, Esq. THEY DID NOTHING! BUT they DID DISBAR the ex-PRESIDENT, NIXON!

NO lawyer and NO judge can truthfully say that HE/SHE does NOT know that NO lawyer will take a case against another lawyer! In this legal case, RUBIN has NOT only taken all civil rights from the Appellant, RUBIN has also dragged DOWN TO HIS LEVEL the NYC BAR ASSOCIATION COLLEAGUES! Including the OFFICE of the US ATTORNEY, Eastern District of New York.

DOCTRINE OF LACHES: YOU underestimate the Appellant, the Appellant had the COURAGE to go to the POLICE at NINE YEARS OF AGE and report HER PARENTS for a battered-child-home, and to report ROMAN CATHOLIC NUNS for battered-child-school rooms to the BISHOP from 1934 through 1938. ALL APPELLEES EMPLOYERS:

In these instances the Appellant, Mae M. Smith, had proofs, and the Appellant personally witnessed the incidents, BUT when Miss Florence Klosowski, former Stouffer coworker, pleaded with the Appellant from 1949 through 1953 to break away from the ENTIRE SMITH FAMILY FOREVER, and at the same time refused to tell the Appellant which SMITHS were responsible, and WHAT they were doing the Appellant refused to act on idle chatter! UNFORTUNATELY! Also, it was AGAINST the high integrity, and deep religious convictions of the Appellant to have the SMITH FAMILY MEMBERS investigated behind their backs! UNFORTUNATELY!

(c) The Attorneys for the APPELLEES, and Oscar G. Rubin, Esq., Appellee Pro Se, say: "Denies knowledge or information." PERJURY! PLEASE put ALL OF US under OATH in YOUR COURT!

(d) The Attorneys say, "This action can NOT be grounded upon diversity of citizenship." LIES! CHICANERY! SEE: page 223-- "CASES ON FEDERAL JURISDICTION & PROCEDURE" --Revised edition-- Frankfurter & Shulman --Law "should be applied so as NOT to limit jurisdiction arising from the nature of the subject matter." page 227 -- "Sec. 50 Judicial Code --28 USC #S 1M -- When there are SEVERAL DEFENDANTS in any suit at law or in equity and one or more of them are neither inhabitants of nor found within the district in which the suit was brought and do NOT voluntarily appear, the Court may entertain jurisdiction."

YES! The Appellant has the knowledge to RESEARCH THE LAWS, but NOT the TIME away from work. Throw out the case and you give the

FACTS RELEVANT TO THE ISSUES: continued:

11.

Appellant the TIME to thoroughly RESEARCH the LAWS! BUT the Appellant PREFERS to clear HER GOOD NAME PUBLICLY in 1976, and to LIVE every minute, of every hour, of every year left to her to LIVE with the SAME ZEST FOR LIVING always had by the Appellant! A LARGE GRIPE of Mrs. Delia Craven Smith AGAINST the APPELLANT! AND AGAINST HUMANITY! ALL of HER LIFE she has understood EVIL and its uses, and used them and ALL OF YOU, BUT NOT THE APPELLANT! Give the Appellant the USA RIGHT in THIS CASE to BYPASS FRCP Rule 12 (f) to tell ALL about Delia Craven Smith from 1919 through 1976. Diversity of citizenship: SATAN and NOT God and/or the President of the USA rules D.C. Smith! HER MIND RESIDES IN HELL! ALWAYS!

- (e) MOST of the Attorneys for the Appellees say, "The US District Court does NOT have subject matter jurisdiction." WRONG! page 212: "Cases on Federal Jurisdiction and Procedure" --revised edition -- Frankfurter & Shulman. "Federal Court Jurisdiction - (11) Suits for INJURIES on account of acts done under LAWS of US. (12) Suits concerning CIVIL RIGHTS. (13) Suits against PERSONS having knowledge of CONSPIRACY! (14) Suits to redress DEPRIVATION OF CIVIL RIGHTS! " 28 USC 1343 --CONSPIRACY to destroy the LIFE of the Appellant! Also, Irwin Warren, Esq. for K & E, and Chet Langton says in HIS rebuttal to the Appellant dated May 5, 1976, (SEE: EXHIBITS --Rebuttal, page 2., para 3. -- ".... the Court DOES have federal question subject matter jurisdiction to hear the case and determine on the merits whether the complaint states a cause of action."
- (f) Irwin Warren, Esq. on the SAME PAGE dated May 5, 1976 says,

FACTS RELEVANT TO THE ISSUES: continued:

12.

"....the assertion of DEFAMATION which is the GRAVAMEN of this complaint...." WRONG! The RESULTS, deprivation of all civil rights, of DEFAMATION, is the essential part of the Appellant's complaint, which weighs most heavily against the APPELLEES! IF slanderous tongues were NOT acted on by allegedly astute EMPLOYERS, who could care about wagging tongues? The Appellant does NOT care what people SAY or THINK because MOST PEOPLE are SHEEP who can NOT THINK for themselves! IF OFFICE EMPLOYERS could really evaluate PEOPLE, this case would NOT be in Court! And IF OFFICE EMPLOYERS could really evaluate PEOPLE, THEY would have NO NEED to ask for PERSONAL REFERENCES! An insistence by OFFICE EMPLOYERS for personal references from the Appellant, who are NOT related, and who are NOT RESTAURANT PERSONNEL, got Oscar G. Rubin, Esq. to VILIFY the Appellant for FEES! Also, when references from RESTAURANT PERSONNEL are NOT ACCEPTABLE to OFFICE EMPLOYERS, how could SO MANY DECENT LIVES OF MEN AND WOMEN have been DESTROYED by OFFICE EMPLOYERS by REFERENCES from STOUFFERS RESTAURANT? UTTER IMMORAL FILTH FOR ALL!

SEE: Repleading by Appellant -- pages 13 and 14

Also, SEE: Reply to the Court Circus of May 26, 1976: re: OTHER FORMER STOUFFER EMPLOYEES: dated: June 2, 1976 to M.A.C. DOCKET ENTRY #69. READ IT! In that same reply, SEE: page 7 re: DESTRUCTION of the LIFE of the FATHER of the Appellant.

Page 8 re: OTHER FORMER STOUFFER EMPLOYEES.

CONSPIRACY through collective action is a FELONY.

(g) F.R.C.P. Rule 8 (e) (1) --TWICE Judge Costantino sent this case OUT of Court based on that. HUMAN LIVES depend on the

FACTS RELEVANT TO THE ISSUES: continued:

13.

Appellant's winning this case! The LIFE of the Appellant depends on HER winning this case! The case covers 30 years PLUS of DEFAMATION by EMPLOYERS, and 50 years PLUS of DEFAMATION by DELIA (the FATHER from 1919 through 1957 --deceased 1957). And about 25 years of DEFAMATION by Anne, sister. AND about 24 years of DEFAMATION by Oscar G. Rubin, Esq.

PEOPLE like WATER always seek out THEIR OWN LEVEL!

IS FRCP Rule (8) (e) (1) more important than LIVES?

Also, the Appellant is NOT a professional lawyer! AND IS emotionally involved in RELIVING the HEINOUS CRIMES against HER!

(h) JUDGE Costantino in HIS Court Order added to the allegations against the Appellant (June 1, 1976). SEE: Appendix

IS the JUDGE immune from penalties for SLANDER?

"" ...she speculates....she draws conclusions....fears asserted ....personal suspicion....spurious allegations." The Appellant got Judge Costantino to amend that and to remove the word, "spurious".

SEE: Appendix:

N.B.: The PROOFS that the Appellant IS telling the absolute truth are in the FILES of the OFFICE of the US Attorney, Eastern Division of New York from 1968 through 1976. From 1968 through 1974 the FBI investigated the Appellant; in 1973 the US Postal Inspection Service investigated the Appellant. The RESULTS of ALL of these investigations were turned over to the OFFICE of the U.S. Attorney.

SEE: EXHIBITS----- (For some information).

(i) Cyril J. Hyman, Esq., Assistant U.S. Attorney NOT only

FACTS RELEVANT TO THE ISSUES: continued:

14.

"goofed" in the Court Room on May 26, 1976, he also violated Public Law 93-579 (December 31, 1974) with HIS exhibits to the APPELLEES, and with HIS exhibits in the Docket Files 75C-2060. Aiding and abetting the APPELLEES against the APPELLANT is WRONG! BY FEDERAL LAW! There was NO Court Order giving HYMAN permission to disseminate pages from the FBI Report #NY9-6362, and HYMAN did NOT get permission from the Appellant to do so. And I am CERTAIN that HYMAN did NOT get permission from TWO WOMEN named in the report: Miss Mildred Liebmann and Miss Irene D. Woods.

SEE: ISSUES: page 2 of this Brief.

SEE: EXHIBITS

RE: Transcript by BEHRENDS dated January 10, 1974:

(SEE: EXHIBITS

LIBEL! True name: Mary Smith; confirmation name: Genevieve; adopted alias for middle name: Margaret. SHOW ME the Advice of Rights Form the Appellant signed; the Appellant recalls none. The "advice" I was given by BEHRENDS was IF I did not show up in HIS office, HE would come to MY office after me. NOT ONE WORD OF PARA. TWO was told to BEHRENDS by the Appellant! I have NEVER used the word, "persecute" in relation to ALL that has been done to ME. The ONLY people the Appellant KNOWS who acted against her are the APPELLEES in this case, and NOT "thousands" as BEHRENDS says! HYPERBOLE BY BEHRENDS! PERJURY! LIBEL! RE: PARA. 3; last sentence: THEY did NOT dare to BERATE ME! TAKE BETS! BOTH are high school DROPOUTS, and Miss Woods is a British citizen from a LONDON GHETTO! Para. 4: RIGHT ON TARGET! Para. 5: PRINT-

FACTS RELEVANT TO THE ISSUES: continued:

15.

ING; NOT handwriting.

BEHRENDS was thoroughly IRKED with the Appellant, Mae M. Smith, because SHE would only reply to the FEW queries asked by HIM, and SHE volunteered NOTHING! Behrends said to the Appellant: "Since YOU can relate better to Inspector Renzulli of the US Postal Inspection Service, I WILL turn over the matter to HIM." Quite apparently PERJURER BEHRENDS, FBI AGENT, never did that.

N.B.: The BOTTOM of the pages from the FBI which HYMAN used for this legal case clearly say, "...its contents are NOT to be distributed outside YOUR agency" (Office of US Attorney). HYMAN:  
Please NOTE WELL!    NOTE BENE!    AGAINST FEDERAL LAW: Public  
Law 93-579 (December, 1974)    SEE: EXHIBITS

Casey, Lane, and Mittendorf, Esqs.: DO thank YOUR LAWYER, Haythe,  
and Behrends, and Doctor Chartock! ALL APPELLEES: DO the same;  
these THREE MEN were the CATALYSTS who got this case into COURT!  
The APPELLANT thanks the THREE CATALYST MEN! For the COURT CASE!

(j) SEE: ISSUES: page 2 (j)

SEE: EXHIBITS

(k) SEE: ISSUES: page 2 (k)

(l) SEE: ISSUES: page 3 (l)

(m) Does OSCAR G. RUBIN, ESQ., NYC LAWYER, have the right to ROB the Appellant of ALL Civil Rights through PERJURY and SLANDER, and then be PROTECTED by the NYC BAR ASSOCIATION? OR by his

FACTS RELEVANT TO THE ISSUES: continued:

16.

LAWYER COLLEAGUES IN THIS CASE? By the EMPLOYER APPELLEES in this case? Does RUBIN LAWYER have the USA right to VILIFY the SMITH SURNAME of the DECEASED FATHER of the Appellant when that MAN is NOT alive to defend HIS NAME? Bernard J. Smith, SENIOR, died in June, 1957! Is THAT why RUBIN feels free to DESTROY the FATHER'S SURNAME? For the DISEASED DELIA CRAVEN SMITH! YES! The influential and affluent and erudite RELATIVES know all about this LEGAL CASE, and SOME of them investigated the DEATH of "BARNEY" believing that DELIA either MURDERED "Barney" or had him murdered in 1957! How good are your memories? YOU will get NO other clues than these: Whitneys, Corrigans, Sextons, Reillys, Martins, Smiths! Are bells ringing? If NOT you are NOT very well informed! Try Mac Anghobhann! No bells? YOU do not know enough prominent business names and religious executives! ALL APPELLEES: DO get YOUR legal FEES from the ESTATE of Delia Craven SMITH, who has a LARGE insurance policy under an ALIAS!

(n) SEE: above (m)

(o) SEE: above (m)

(p) SEE: Repleading by Appellant --April 22, 1976

(q) SEE: Repleading by Appellant -- April 22, 1976

(r) SEE: Repleading by Appellant -- April 22, 1976

(s) SEE: Repleading by Appellant -- April 22, 1976

(t) SEE: Repleading by Appellant -- April 22, 1976

(u) REPEAT: U.S. Court of Appeals -- PLEASE put ALL of US under OATH in YOUR COURT. Both the Appellees and the Appellant. Until May 26, 1976 in the US District Court the Appellant was NOT aware that the Attorneys for the Appellees could use LIES, and CHICANERY, and PERJURY in writings SIGNED to the US District Court, and in person in that Court --UNLESS they are under OATH! That is NOT the USA justice system! Please UNDO THAT CHICANERY!

Oscar G. Rubin, Esq., NYC LAWYER, IS INSANE! INVESTIGATE!  
Please investigate previous and/or current judgments against HIM!  
Please use the F.R.A.P. Rule #46 to INVESTIGATE RUBIN, NYC lawyer.  
Please investigate the LEGAL CAREER of Oscar G. Rubin, Esq.  
Please act LEGALLY against this NYC LAWYER, Oscar G. Rubin, Esq., who used his JOB TITLE, and his PROFESSION to DESTROY the LIFE of the Appellant, Mae M. Smith, from 1954 or before through 1976.

Does Oscar G. Rubin, Esq., NYC LAWYER, APPELLEE, work for the STOUFFER CORP., APPELLEE? Did RUBIN ever work for the Stouffer Corp., or for Litton Industries, OR for the Stouffer Employee Checking Agency? Is RUBIN also responsible for the DESTRUCTION of the OTHER LIVES of FORMER EMPLOYEES of STOUFFERS, who were and are EDUCATED, and who CHOSE to do OFFICE WORK after 1955? SEE: Page 27 of this BRIEF. SEE: REPLEADING: pages 13 and 14

SUMMARY OF CASE:

Holy Bible --King James Version --PSALM 35 --A Psalm of David

"4-- Let them be confounded and put to shame that seek after my soul; let them turn back and brought to confusion that devise my hurt.

7-- For without cause have they hid for me their net in a pit, which without cause they have digged for my soul.

8-- Let destruction come upon him at unawares; and let his net that he hath hid catch himself; into that very destruction let him fall.

11-- False witnesses did rise up; they laid to my charge things that I knew not.

12-- They rewarded me evil for good, to the spoiling of my soul.

13-- But as for me, when they were sick, my clothing was sack-cloth; I humbled my soul with fasting; and my prayer returned into mine own bosom.

14-- I behaved myself as though he had been my friend or brother; I bowed down heavily, as one that mourneth for his mother.

15-- But in mine adversity they rejoiced, and gathered themselves together; yea, the abjects gathered themselves together against me, and I knew it not; they did tear me, and ceased not;

16 --With hypocritical mockers in feasts, they gnashed upon me with their teeth.

19-- Let not them that are mine enemies wrongfully rejoice over me; neither let them wink with the eye that hate me without a cause.

20-- For they speak not peace; but they devise deceitful matters

SUMMARY OF THE CASE: continued:

19.

against them that are quiet in the land.

21-- Yea, they opened their mouths wide against me, and said,  
Aha, aha! our eye hath seen it.

25-- Let them not say in their hearts. Ah, so would we have it;  
let them not say, We have swallowed him up.

26-- Let them be ashamed and brought to confusion together that  
rejoice at mine hurt; let them be clothed with shame and dishonor  
that magnify themselves against me.

27-- Let them shout for joy, and be glad, that favour my right-  
eous cause; yea, let them say continually, Let the Lord be  
magnified, which hath pleasure in the prosperity of his servant."

---

Over 2,000 years ago this case could have been in Court.

In Sept., 1964 Joseph R. Panaro, Labor Relations man, Appellee,  
who pretended he would help the Appellant, Mae M. Smith, told  
Oscar G. Rubin, Esq., Appellee, that the Appellant threatened to  
destroy Ragnor B. Hansen, Appellee, of States Marine-Isthmian,  
Appellee. The Appellant had told Panaro that she was PRAYING the  
35th Psalm for GOD to help her to deal with her enemies. RUBIN  
and/or Panaro KNEW in Sept., 1964 what the Appellant did NOT KNOW  
until Sept., 1965; HANSEN was deliberately keeping the Appellant  
OUT of OFFICE WORK from November, 1962 through July, 1965. The  
Appellant learned this in 1965 from Eileen Maude Strudwick,  
Appellee, of Anglo American Corp. of South Africa (N.A.) Ltd.,  
Appellee. The Appellant resigned from States Marine in December,  
1961 and was UNAWARE what HANSEN was doing, but RUBIN DID KNOW!  
HOW DID RUBIN KNOW?

1-- O.G. Rubin, Esq., NYC LAWYER, and Delia Craven Smith, MOTHER, APPELLEES, were absolutely powerless to destroy the LIFE of the Appellant, Mae M. Smith, and to rob her of ALL CIVIL RIGHTS without the ACTIVE PARTICIPATION of the APPELLEE EMPLOYERS, and one APPELLEE LANDLORD (former), Mrs. Nettie Herzich Carcich. And the GREATEST RESPONSIBILITY for the destruction of the LIFE of the Appellant MUST BE and SHOULD BE placed on the shoulders of the APPELLEE EMPLOYERS, who are wealthy and influential, and on THEIR PERSONNEL DEPARTMENTS.

2-- Allegedly the people who are professional Personnel Managers are able to accurately evaluate people they interview, and/or employ for each company. BUT THAT IS NOT TRUE! THEY are POOR evaluators of people. Moreover, in this case, THEY willingly listened to and acted on the MOST PORNOGRAPHIC PERJURY out of the mouths of a MOTHER and a NYC LAWYER! Any intelligent person would have wondered about the MENTAL STATE of BOTH of THEM! And MOST intelligent people would have wondered about the MOTHER who so willingly, wantonly VILIFIED her own personal SURNAME, and the SURNAME of her husband and OTHER children, and her grandchildren, and her in laws! NO ACTION by the Appellant IN any company OR outside of any of these companies gave these companies any reason to believe that the MOTHER or the LAWYER had told the truth! Yet ALL OF THEM chose to become judges, juries, and executioners of the decent, moral, humane, educated, high I.Q., hard-working Appellant, Mae M. Smith.

3-- Moreover, NO company had one ounce of integrity toward any

other APPELLEE EMPLOYER! Every company promises to keep secret ALL bad or poor job references about any employee, and they NEVER did that. EVERY Appellee EMPLOYER passed on the SLANDER to MOST coworkers of the Appellant, and to EVERY other APPELLEE employer after the Appellant resigned to take another job. Since MOST OFFICE EMPLOYEES are UNIQUELY "illiterate and lacking in "social intelligence", the Appellant would have had SOME difficulty relating to HIGH-SCHOOL-DROPOUTS without the CALUMNY. The PSYCHOPATHIC LIES gave the ILLITERATES weapons to use against the EDUCATED, HIGH I.Q. APPELLANT! And NOW after 24 years of academic education in paid tuition, and partially-paid tuition schools, the Appellant needs English and speech lessons to UNDO the deficits from working IN OFFICES from 1954 through 1976.

4-- NO EMPLOYER and NO EMPLOYEE made any effort to learn whether or not they were told the truth! ALL EMPLOYERS became judges, juries, and executioners of the Appellant! What has been done to the Appellant can NOT be classified as mere human failings by many people! Also, what has been done to the Appellant has been and IS happening nationally to THOUSANDS of "white collar" workers from 1946 through 1976! And THIS has caused CONGRESS to pass several LAWS against this from 1960 through 1974, and perhaps through 1976. While these FEDERAL LAWS were nicknamed "Invasion of Privacy" LAWS, they ARE Federal LAWS against CALUMNY! ONE is Public Law 91-508, Title SIX passed in April, 1971. The Appellant will try to have copies of ALL for EITHER an addition to HER Appendix, OR for HER day in Court. The FIRE in December,

1974, which took from 95% to 97% of the personal clothing and household furnishings of the Appellant also took the RESEARCH WORK papers for this legal case. Reason for ARSON???

S-- Irwin Warren, Esq. of Weil, Gotshal, Manges, Esqs., --- Attorneys for Kenyon & Eckhardt, Inc., and Chet Langton, Appellees, says: May 5, 1976; SEE: (page 6. of his rebuttal): "....such allegedly discriminatory acts against plaintiff by defendant Anglo American Corp. of South Africa (N.A.) Ltd.....fatal...." YOU, Warren, did NOT do your homework, or you would know that that is factual! ONLY WHITE Protestants and WHITE Catholics can be hired by Anglo American in the USA! When the Appellant sent her job resume to their office to apply for a job, they sent it to an employment agency so that the employment agency would learn whether or not the Appellant was WHITE! SOME of the job references for the Appellant were NOT checked until AFTER the Appellant had been working for them for ONE WEEK! The Appellant started to work there on July 12, 1965, and on July 19, 1965 at about 12:00 NOON, Hansen of States Marine called Miss E. Strudwick, and after she got off the phone ALL HELL BROKE LOOSE; over and over for three months the Appellant pleaded with Miss E. Strudwick to check on the allegations told to her; she refused. The Appellant even brought in her birth certificate to Miss Strudwick, Appellee, to prove that the Appellant IS WHITE! Until 1968 from Miss Irene D. Woods, Appellee, the Appellant did NOT know about the BABY ALLEGATION against her! Yes! The Appellant believes that Delia Craven Smith said this because SHE

did the VERY SAME THING to a legally-married, WHITE neighbor in the 1930's! Then in May/June, 1975 Frederick V. Behrends, FBI Agent, Appellee, passed on this information/to Doctor Hyman Chartock, Appellee. AFTER BEHRENDS investigated the Appellant.

DELIA CRAVEN SMITH, Appellee, has spent HER ENTIRE ADULT LIFE destroying the LIVES of men and women through SLANDER! Including her husband, Bernard J. Smith, SENIOR, while he was trying to support one wife and six children! Also, the FATHER of the Appellant had as many job changes as has had the Appellant caused by DELIA CRAVEN SMITH! Also, from 1947 through 1966 or later DELIA CRAVEN SMITH turned OFF the alarm clock on Miss Anne Smith, to make Anne late for work DAILY for 19 years! DELIA has made of ANNE a submissive vegetable, a nervous wreck, an adult without self confidence, a robot doing DELIA'S bidding, and ANOTHER SMITH DAUGHTER without a husband and children! And ANNE was PAID by DELIA through ALL YEARS to become a living ROBOT! At 28 years of age ANNE was yelling at HER OFFICE coworkers, "MY MOTHER says that WOMEN who are EDUCATED and LADY-LIKE become that way to hide their immoral lives." And ANNE believed that! The SMITH case history WILL be written in a BOOK in 1977, and the Appellant will not use these pages for that.

THIS is the WOMAN, DELIA, who caused this entire legal case! BUT since when do WEALTHY CORPORATIONS obey illiterates in cold-water flats in ghettos, UNLESS the illiterates are of FINANCIAL VALUE to the CORPORATIONS? Not of value in this case! The

Anglo American Corp. of South Africa (N.A.) Ltd. LOST its NYC OFFICE. (N.B.: Anglo has over 300,000 employees internationall!) Also, since when do the WEALTHY CORPORATIONS obey NYC LAWYERS who are of NO financial value to them? Oscar G. Rubin, Esq. caused this legal case and is costing the APPELLEE EMPLOYERS money! And HIS CO-CONSPIRACY with Delia Craven Smith, and with Anne Smith, cost the great Anglo American Corp. its NYC Office! In 1971.

IRWIN WARREN, ESQ. --that was what was FATAL for Anglo American!

6-- Moreover in 1971 the Appellant did NOT know that Anglo American had been put OUT of the USA, OR the Appellant would NOT have acted against that company at a cost of \$1,000.00 to herself.

7-- Josiah Adams, Esq., of Galland, Kharasch, Calkins, and Brown, Esqs., Attorneys for States Marine Isthmian Agency, Inc., says: (July 29, 1976 to the US Court of Appeals): SEE:

EXHIBITS -----

"....completely groundless action...." PERJURY! "....she has considerable financial resources...." PERJURY! LIBEL!

U.S. Court of Appeals: PLEASE investigate the financial resources of the Appellant, Mae M. Smith.

"....the appeal is frivolous...." A human LIFE wantonly destroyed for 30 years plus is considered "frivolous"?

A few months ago in 1976 the U.S. Supreme Court RULED that if a person lost much more than only his good name, that person had every right to FIGHT the CASE in the U.S. SUPREME COURT! Or in any Court!

Josiah Adams, Esq.: Is JUSTICE in the USA only for the WEALTHY MINORITY in the USA? According to you, Adams, Ragnor B. Hansen, Appellee, on behalf of States Marine Isthmian Agency, Inc., Appellee, can not only rob the Appellant, Miss Mae M. Smith, of ALL CIVIL RIGHTS with his PORNOGRAPHIC ALLEGATIONS from Oscar G. Rubin, Esq., Appellee, and from Delia Craven Smith, Appellee, from 1961 through 1976, 15 years, BUT if the Appellant FIGHTS LEGALLY for her CIVIL RIGHTS in Court and loses, STATES MARINE can do MORE HARM to the Appellant by having the Court order the Appellant to PAY STATES MARINE for DESTROYING THE LIFE of the Appellant from 1961 through 1976! SEE: COPY OF YOUR LETTER under EXHIBITS! To the best knowledge of the Appellant YOU and YOUR CLIENT, States Marine, the ONLY APPELLEE to contest the USA RIGHT of the Appellant to FIGHT LEGALLY for HER LIFE and for HER CIVIL RIGHTS! Because the Appellant IS TELLING THE TRUTH!

STATES MARINE and RAGNOR B. HANSEN caused the following to be involved in this legal case, and cost the LARGE ANGLO AMERICAN CORP. its NYC OFFICE: The Jewish Guild for the Blind, Inc.; Sheraton Motel; Anglo American Corp. of South Africa (N.A.) Ltd.; Indussa Corp.; Theresa M. Burke Employment Agency; Snelling & Snelling Employment Agency; Frederick V. Behrends, FBI Agent; ALL OTHERS involved AFTER 1961! ADAMS: YOU and RUBIN give THEM their USA RIGHTS not to be involved because States Marine chooses to USE pornographic allegations from OSCAR G. RUBIN, ESQ. And from DELIA CRAVEN SMITH!

8-- OSCAR G. RUBIN, ESQ., NYC LAWYER, DESTROYER! For RUBIN

DESTRUCTION OF HUMANITY was and is a WAY OF LIFE! For Delia C. Smith and Anne Smith DESTRUCTION was and is a way of life! For ALL APPELLEES named in the legal case, DESTRUCTION OF HUMANITY was and is a way of life! NOT one human error for one time!

(9) WHICH LAWYER for the APPELLEES wrote the COURT ORDER for Judge Mark A. Costantino to sign on June 1, 1976? The Appellant has since learned from a friend in another state that the allegedly-winning party's LAWYER writes the COURT ORDER! YOU, LAWYER, added to the ALLEGATIONS against the Appellant! LIBEL IN WRITING! The Appellant DOES HAVE the USA right to know WHO wrote that Court Order! YOU, LAWYER, WON a case in the U.S. Court of Appeals! Both for yourself, and for everyone involved! The Appellant believes that she KNOWS which LAWYER wrote that since the OTHER lawyers are playing follow the leader. Ad infinitum; ad nauseum.

(10) The Appellant, Miss Mae M. Smith, EXPECTS TO WIN in the U.S. Court of Appeals! IF NOT, then this case goes on to ANOTHER COURT! Mrs. Delia Craven Smith has ALWAYS KNOWN that this WOULD BE TRUE! Your CLIENTS were the FOOLS to DESTROY and help Delia Craven Smith and Oscar G. Rubin, Esq. DELIA IS A SORCERER! A WITCH! AND MUCH MORE!

(11) ALL ATTORNEYS: There is NO humanly possible way for the Appellant to get copies of the LAWS you quote to include in the rebuttals. YOU will have to do that! FIRST, the Appellant works from 9:00 A.M. to 6:00 P.M. DAILY from Monday through Friday with ONLY A HALF HOUR for LUNCH, and has used up MOST of her

FIVE SICK DAYS, and ALL vacation days for this case. IF we are in COURT more than ONE DAY, the Appellant will be away from work WITHOUT PAY, which WILL add to the financial losses of the Appellant! BUT the Appellant WILL be there! The Appellant DOES have the knowledge to RESEARCH the applicable LAWS but does NOT have the TIME from 9:00 A.M. to 5:00 P.M. away from work to do it.

Since YOU ATTORNEYS follow Irwin Warren, Esq., of Weil, Gotshal, Manges, Esqs., the Appellant WILL include HIS rebuttal in the Appendix FOR ALL OF YOU EXHIBIT (May 5, 1976 rebuttal).

WARREN: WHY does NOT Kenyon & Eckhardt, Inc. use Proskauer, Rose, Goetz, and Mendelsohn, Esqs. for THIS CASE, since THEY handle business matters for Kenyon & Eckhardt, Inc.? At least they did until 1970!

(12) OTHER FORMER STOUFFER EMPLOYEES DESTROYED BY STOUFFERS:

Mrs. Lorraine Tartell Meredith who worked for: Radio Corp. of America, Inc; Batten, Barton, Durstine, & Osborne, Inc.; and the Federal Bureau of Investigation in Washington, D.C.

Miss Lillian Brusca: who worked for the General Electric Co., which has illegal DIAMONDS contracts with DE BEERS, an Anglo American Corp. company. NOT allowed to operate in the USA!

MONOPOLY! SEE: U.S. Justice Dept. FILES for the LATE 1950's.

USA VS. DE BEERS ---Casey, Lane, and Mittendorf, Attorneys.

Miss Jenny Kellis: Employers AFTER STOUFFERS unknown to the Appellant. Rendered poverty stricken and friendless.

Miss Lorraine Grubich: Employers AFTER STOUFFERS unknown to the

Appellant. AFTER taking STOUFFER SLANDER and destruction from 1949 onward, Lorraine took her own LIFE through drinking in the 1960's! About 14 years of HELL for HER! Lorraine harmed NO ONE! NOT EVER! SHE was a GENTLE, DECENT PERSON!

MISS HILT: Former STOUFFER HOSTESS --- LIFE destroyed from 1949 onward by STOUFFERS through its CHECKING AGENCY with UTTER FILTH!

STOUFFERS has been a DIVISION of LITTON INDUSTRIES, INC. since the MID 1960's! WHO is the CHECKING AGENCY which specializes in the DESTRUCTION OF HUMANITY? U.S. Court of Appeals: It IS possible that LITTON was the CHECKING AGENCY for EMPLOYEES for STOUFFERS before LITTON took over STOUFFERS! CHECK THAT! Delia Craven Smith, Appellee, an utter stench on the face of the earth, used this CHECKING AGENCY after the BROTHER, John E. Smith, of the Appellant DIED in July, 1946, to help HER to DESTROY the LIFE of the Appellant!

The DEATH OF JOHN is definitely tied in to the DESTRUCTION of the LIFE of the Appellant! The Appellant believes that the STOUFFER CHECKING AGENCY contacted Delia Craven Smith in 1946! And DELIA found a LIKE DESTROYER, LIKE RUBIN, to HELP HER to DESTROY! The Appellant, Miss Mae M. Smith, worked for STOUFFERS from January, 1946 through June, 1954.

STOUFFERS does NOT destroy IMMORAL WOMEN! STOUFFERS had MANY IMMORAL WOMEN EMPLOYEES when the Appellant worked there who were NEVER destroyed by STOUFFERS! STOUFFERS does NOT destroy WOMEN EMPLOYEES married to or dating KNOWN GANGSTERS! The Appellant

worked with several WOMEN who were married to or dating KNOWN GANGSTERS!

OFFICES do NOT wantonly destroy IMMORAL WOMEN EMPLOYEES; they favor them.

DELIA CRAVEN SMITH does NOT destroy IMMORAL FAMILY MEMBERS; she favors them. YES! RUBIN DOES KNOW THIS and the FACTS!

(13) THIS ENTIRE CASE is a SCANDAL!

(14) READ: "THE PSYCHOPATHS" by Alan Harrison, especially the Chapter on New York City. READ: "AMERICA INC." by Mintz and Cohen about USA CORPORATIONS. READ: "ANTI-INTELLECTUALISM IN AMERICAN LIFE" by Hofstadter, who won a FULITZER PRIZE in the 1960's; read the Chapter on CATHOLICISM about FOREIGN-BORN IRISH PARENTS who make every effort to prevent their American children from SUCCEEDING! BUT, NO PARENT ever stooped as LOW as Delia Craven Smith! And the American-born sisters and brothers of the Appellant, Mae M. Smith! The SIX NIECES and NEPHEWS of the Appellant have grown up from 1948 onward KNOWING that their PARENTS believe that the DESTRUCTION of the Appellant was and is CORRECT! A THIRD GENERATION OF SMITH DESTROYERS OF HUMANITY IN HONOR OF DELIA CRAVEN SMITH! PLEASE stop this PUBLICLY!

(15) The Appellant, Miss Mae M. Smith, pleads and prays for PUBLIC JUSTICE, and PUBLIC clearance of her GOOD NAME, and for HER USA CIVIL RIGHTS, and for ALL RELIEFS to be granted.  
in 1976

1- PUBLIC CLEARANCE of the GOOD NAME of the Appellant. In order to render SLANDERERS powerless to continue to rule the LIFE of the Appellant, public clearance is a MUST.

2- The GOOD JOB REFERENCES earned in EVERY OFFICE and in STOUFFERS by the Appellant, sans the CALUMNY, which has NOTHING to do with the employability of the educated, high I.Q., experienced, professional Appellant.

3- Production of the DOCUMENTARY EVIDENCE against the APPELLEES by the OFFICE of the US Attorney, Eastern Division of New York, which was given to that Office by FBI Agents from 1968 through 1974, and by the US Postal Inspection Service in 1973. Rule 45 (b) Federal Rules of Civil Procedure.

4- Legal help and medical help (sodium pentathol) to catch the PAID ARSONIST of December, 1974, and the man who paid him.

5- A COURT ORDER by a JUDGE to get a TRANSCRIPT of the telephone call made by Mr. Mario Gocenta on the night of the fire to the NYC Police Dept. The Appellant is NOT interested in suing NYC.

6- \$500,000.00 for a DESTROYED LIFE through CALUMNY, and loss of USA CIVIL RIGHTS. PLUS: \$150,000.00 proved to IRS Intelligence in a SERIES of LETTERS as an absolute minimum of financial income losses by the Appellant by the time the Appellant is forced to retire. This was as of LATE, 1968;  
it is more in 1976. PLUS: ALL financial losses trying to get LEGAL HELP from 1963 through 1975 at \$85.00 per month ----

PRECISE RELIEF SOUTH: continued:

31.

\$12, 155.00. PLUS: the \$1,000.00 for legal expenses to fight Anglo American Corp. in July, 1971. PLUS: ALL EXPENSES FOR THIS LEGAL CASE from October, 1975 through 1976, or after if necessary.

TOTAL: An absolute minimum of: \$663, 155.00 --PLUS ALL LEGAL EXPENSES FOR THIS CASE IN BOTH COURTS. In 1975 and 1976.

---

The Appellant, Miss Mae M. Smith, pleads and prays for PUBLIC JUSTICE, and PUBLIC CLEARANCE of her good name, and ALL of her CIVIL RIGHTS as a USA citizen, and for ALL RELIEFS sought to be granted by the U.S. Court of Appeals.

*Mae M. Smith*  
AKA: (Miss) Mae M. Smith  
          (Miss) Mary M. Smith  
          Appellant Pro Se

83-06 Vietor Avenue  
c/o Coleman Family  
Elmhurst, New York 11373

UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT

76C - 7299

Case Title: 28 USC 1343

Conspiracy to destroy the life of the Appellant

APPEAL; PETITION FOR REVIEW

U.S. District Court  
Eastern Division of New York

BRIEF FOR APPELLANT; APPENDIX; EXHIBITS

Miss Mae M. Smith  
APPELLANT PRO SE

83-06 Vietor Avenue  
c/o Coleman Family  
Elmhurst, New York 11373

APPENDIX

APPENDIX:

List of Contents

Docket Entries	Six pages
Court Order Dismissing Case; June 1, 1976	Two pages
Amendment to Court Order; June 16, 1976	Two pages
Letter transcript of Court Proceedings -- (for May 26, 1976) -- by Ellen Coleman, June 11, 1976	Five pages

Exhibits listed separately

83-06 Vietor Avenue  
c/o Coleman Family  
Elmhurst, New York 11373  
July 20, 1976

United States District Court  
Eastern District of New York

-----X  
Miss Mae M. Smith (AKA: Miss Mary M. Smith) :  
VS.  
Frederick V. Behrends (Barrons), FBI Agent; :  
Oscar G. Rubin, Esq.; Mrs. Delia Craven :  
Smith; ET AL.  
-----X

75C - 2060 -- MAC  
US District Court  
76C - 7299  
US Court of Appeals

INDEX TO RECORD ON APPEAL

CAUSE: 28 USC S1343  
CIVIL RIGHTS --Conspiracy to destroy plaintiff's life.

ATTORNEYS

For Plaintiff:

Mae M. Smith; Pro Se      (Records Manager; NOT an attorney)  
c/o Coleman Family  
83-06 Vietor Avenue  
Elmhurst, New York 11373

FOR DEFENDANTS AND WITNESSES:

Matthew J. Grayson, Esq.--Pro Se  
1139 East Jersey Street  
Elizabeth, New Jersey 07201

Bernard J. Smith, Jr.--Pro Se  
351 West Clay Avenue  
Roselle Park, New Jersey 07204

Oscar G. Rubin, Esq.--Pro Se  
233 Broadway  
New York, New York 10007

For: States Marine-Isthmian Agency, Inc.  
Galland, Kharasch, Calkins, & Brown, Esqs.  
40 Wall Street  
New York, New York 10005

For: Engelhard Hanovia Inc.  
Casey, Lane, & Mittendorf, Esqs.  
26 Broadway  
New York, New York 10004

For: Miss Darlene Ziomek  
Philips, Nizer, Benjamin, Krim & Ballon, Esqs.  
40 West 57th Street  
New York, New York 10019

For: REL-Reeves Inc.

AKA: Radio Engineering Laboratories, Inc.

Irving Mark Wolff, Esq.  
Suite 916 Biscayne Bldg.  
Miami, Florida

ATTORNEYS:

For: Retailers Commercial Agency  
Townley, Updike, Carter, Rodgers  
220 East 42nd Street  
New York, New York 10017

For: Sheraton Motel  
William J. Dougherty, Esq.  
Dreschler & Leff, Esqs.  
292 Madison Avenue  
New York, New York 10017

For: Frederick V. Behrends  
FBI Agent

Cyril J. Hyman, Esq.  
Asst. US Attorney  
225 Cadman Plaza East  
Brooklyn, New York 11201

continued.....

FOR DEFENDANTS AND WITNESSES: ATTORNEYS: continued:

President (DEFENDANT has chosen NOT to get involved)  
Anglo American Corp. of South Africa (N.A.) Ltd.  
Toronto Dominion Bank Tower  
Toronto 1, Ontario, Canada

For: STOUFFERS Restaurant Corp., Division of Litton Industries, Inc.  
Alexander, Ash, Schwartz, & Cohen, Esqs.  
801 Second Avenue  
New York, New York 10017

For: Mrs. Theresa M. Burke Employment Agency  
For: Snelling & Snelling Employment Agency, Inc.

N.B.: OTHER judgements in the Courts against S & S.  
Murphy & Burke, Esqs.  
8 West 40th Street  
New York, New York 10018

For: Kenyon & Eckhardt, Inc.  
For: Chet Langton, Office Manager at K & E

Irwin Warren, Esq.  
Weil, Gotshal, Manges, Esqs.  
767 Fifth Avenue  
New York, New York 10022

For: Indussa Corp.

Howard H. Bachrach, Esq.  
c/o Indussa Corp.  
1212 Avenue of the Americas  
New York, New York 10036

For: Doctor Hyman Chartock

Samuel Weinberg, Esq.  
526 Nostrand Avenue  
Brooklyn, New York 11226

For: NYC Bar Association ( Re: Oscar G. Rubin, Esq.)

N.B.: THEY have taken NO action and undertaken NO investigation even though the Plaintiff has pleaded with them to do so from 1964 through 1974.)

John G. Bonomi, Esq.  
Chief -- Grievance Counsel  
NYC Bar Association  
42 West 46th Street  
New York, New York 10036

(N.B.: NO replies from THEM about this legal case)  
NO summons served to them.

MAIN DEFENDANTS who caused ALL of this along with Bernard J. Smith, Jr. and OSCAR G. RUBIN, ESQ., NYC LAWYER: (MANY address changes):

Mrs. Delia Craven Smith                    (Summons by certified mail; no other  
Miss Anne Smith                            way to reach them; they keep running  
Mrs. Peggy Smith Murray  
P.O. Box 19 (true home address UNKNOWN)  
Brooklyn, New York 11230

---

N.B.: MOST of what has been done to the PLAINTIFF-APPELLANT PRO SE from 1946 through 1976 by the SMITH FAMILY was ALSO done to their FATHER, husband of Delia Craven Smith. HE took NO legal action against them!

Bernard J. Smith, SENIOR (Barney Smith) DIED in 1957.

\*\*\*\*\*

<u>DATE:</u>	<u>PROCEEDINGS</u>	
12/8/75	Complaint filed. Summons issued.	(1)
	<u>(N.B.: Case brought into Court by JUDGE John F. Dooling, Jr.)</u>	
12/19/75	Notice of appearance for Matthew Grayson filed,	(2)
12/24/75	Summons (to Lorraine Tartell) ret. & filed-- UNexecuted	(3)
1/12/76	By Costantino, J. -- EX PARTE ORDER DTD. 1/9/76 that the time of the deft. Retailers Commercial Agency Inc. (4) to answer the complaint is extended to 2/23/76 etc. filed	
1/20/76	Notice of entry of order dtd. 1/9/76 filed.	(5)
1/26/76	Notice of Motion, ret. 2/13/76 filed re: to dismiss etc.	(6)
2/2/76	Notice of Motion ret. 2/25/76 for an order dismissing the complaint filed.	(7)
2/2/76	Memorandum of Law filed.	(8)
2/3/76	Answer of Bernard J. Smith, Jr. filed.	(9)
2/4/76	Suggestion of bankruptcy for REL-Reeves filed.	(10)
2/5/76	Summons ret. & filed/ UNexecuted as to Margaret Darby and Carole Trainor	(11)
2/5/76	Notice of motion ret. 2/23/76 with memo of law to (12/13) complaint filed.	

- 2/9/76 Letters from pltff. dtd. Feb. 2 & 4, 1976 filed. (14/15)
- 2/11/76 Notice of appearance for deft. States Marine etc. (16) filed
- 2/13/76 Answer of Oscar G. Rubin, Esq. filed (17)
- 2/13/76 Answer of deft. Engelhard Hanovia Inc. filed (18)
- 2/17/76 Letter from Mae M. Smith to JUDGE Costantino et al filed (19)
- 2/17/76 Letter from pltff. dti. 2/9/76 filed (20)
- 2/17/76 Letter from pltff. dtd. 2/7/76 filed (21)
- 2/17/76 Letter from pltff. dtd. 2/10/76 filed (22)
- 2/19/76 Answer of deft. Ziomek filed. (23)
- 2/20/76 Answer of States Marine-Isthmian Agency Inc. filed (24)
- 2/20/76 Response of Robert B. Hansen filed (25)
- 2/20/76 Pltff.'s reply filed. (26)
- 2/20/76 Pltff.'s rebuttal to Oscar G. Rubin, Esq. filed. (27)
- 2/23/76 Letter to the Clerk by Mae M. Smith filed. (28)
- 2/23/76 Notice of cross motion of deft. Retailers Commercial (29/30) filed. Memorandum in support of motion to dismiss.
- 2/23/76 By Costantino, J. -- Case called defts. motion to (000) to dismiss the complaint etc., argued. Decision reserved.

<u>DATE:</u>	<u>PROCEEDINGS</u>	
2/24/76	Deft. notice of motion ret. 3/9/76 with memo of for pltff. to serve and file a more definite statement. filed.	(31/32)
2/25/76	Pltff.'s affidavit filed.	(33)
2/25/76	Before Costantino, J. — Defts. motion dismissing the complaint etc. submitted. Decision reserved.	(000)
3/1/76	Notice of motion ret. 3/15/76 for dismissing the complaint filed.	(34)
3/1/76	Affidavit of pltff. with attached copy of correspondence filed.	(35)
3/5/76	By Costantino, J. --Memorandum and Order dtd. 3/4/76 dismissing the complaint; pltff. is given leave to file an amended pleading in 60 days. filed. <u>(Post Card with NO SPECIFIC INFORMATION mailed to parties.)</u>	(36)
3/11/76	Letter dtd. 3/10/76 from Mae M. Smith to JUDGE Mark A. Costantino filed.	(38)
3/17/76	Letter from Mae M. Smith to CHIEF of Detectives of NYC POLICE filed.	(39)
3/17/76	Letter from Mae M. Smith to JUDGE Costantino filed.	(40)
3/17/76	Letter from Mae M. Smith to JUDGE Costantino filed.	(41)
4/26/76	Letter dtd. 3/27/76 to Legal Aid Society from Pltff. filed. <u>(With NO regard for USA LAWS by the US District Court.)</u>	(42)

- 4/26/76 Answer & repleaded statement filed. (STATES MARINE) (43)
- 4/29/76 Answer of Oscar G. Rubin, Esq. filed. (44)
- 4/30/76 Notice of Motion ret. 5/14/76 filed re: to dismiss, etc. (45)
- 5/3/75 Amended complaint filed. Supplemental summonses issued (46)
- 5/4/76 Notice of Motion ret. 5/26/76 at 10:00 A.M. for an order pursuant to Rules 8 (a) and (e) etc. dismissing the complaint against the Sheraton Motel. filed. (47)  
(N.B.: Sheraton & ATTORNEYS offered THEMSELVES as WITNESSES VOLUNTARILY IN WRITING and NEVER complied.)  
(LEGAL CHICANERY!)
- 5/6/76 Notice of cross motion ret. 5/14/76 with memo of law to dismiss etc. filed. (48/49)
- 5/6/76 Notice of motion ret. 5/19/76 with memo of law in support of deft. Kenyon & Eckhardt, Inc. filed. (50/51)
- 5/7/76 Notice of motion ret. 5/26/76 filed re: to dismiss amended complaint. (52)
- 5/7/76 Notice of motion ret. 5/14/76 filed re : for request

DATE:

PROCEEDINGS

- request for stipulation of discontinuance etc. (53)
- 5/7/76 Notice of Motion ret. 5/14/76 filed re: for request for stipulation of discontinuance etc. (54)
- 5/14/76 By Costantino, J. -- Stipulation and notice discontinuing action against Sheraton Motel filed. (55)  
SEE: NOTES UNDER # (47).
- 5/14/76 Notice of Motion ret. 5/26/76 with memo of law to (56)  
to dismiss the complaint filed. (57)
- 5/14/76 Before Costantino, J. -- Case called for motion for discontinuance and adjd. to 5/26/76 (000)
- 5/14/76 Before Costantino, J. -- Case called for Govt.'s motion to dismiss and adjd. to 5/26/76 (000)
- 5/17/76 Notice of Motion ret. 5/26/76 dismissing the amended complaint filed. (58)
- 5/19/76 Supplemental SUMMONSES retd. and filed. Executed as to defts. Gocenta, Langton, Chartock, B. Smith (59)  
Jr., Korman, and Darby; UNexecuted as to Miss Anne Smith; Mrs. Delia Craven Smith; Mrs. Joseph Murray.
- 5/19/76 Notice of Motion to dismiss Amended Complaint, ret. 5/26/76. (60)

5/19/76 Before Costantino, J. --Case called & motion to dismiss  
the complaint adj'd. to 5/26/76 (000)

5/21/76 Notice of Motion retd. 5/26/76 with memo of law  
re: to dismiss the amended complaint filed. (61/62)

5/21/76 Notice of Motion ret. 5/26/76 with memo of law  
to dismiss amended complaint filed. (63/64)

5/21/76 Supp. notice of motion ret. 5/25/76 to dismiss  
filed. (65)

5/24/76 Notice of motion to dismiss the amended complaint  
ret. 5/26/76 filed. (66)

5/26/76 Before Costantino, J. --Case called on defts. motion  
to dismiss the complaint motion argued Decision reserved  
Motion argued on defts. motion to dismiss amended complaint  
Decision reserved Motion argued of defts. request for  
stip. of discontinuance of Decisions reserved. (000)

((N.B.: Irwin Warren, Esq., in conjunction with LAW CLERK  
GOLUMB for JUDGE Mark A. Costantino issued a COURT ORDER  
on behalf of the US DISTRICT COURT Irwin Warren, Esq.  
of Weil, Gotshal, Manges, Esqs. represents TWO of the  
DEFENDANTS and does NOT work for the US District COURT.))

Page six

- | <u>DATE:</u> | <u>PROCEEDINGS</u>  |
|--------------|---|
| 6/1/76       | By Costantino, J. --Memorandum & Order dtd. 6/1/76<br>dismissing the complaint as to all defts. The Clerk<br>is directed to enter judgment.. (67)<br><br><u>((UNINFORMED POST CARDS TO ALL by the US District Court))</u>   |
| 6/2/76       | Judgment that the plaintiff take nothing of the<br>defendants and that the case is dismissed with prejudice<br>as to all defendants filed. (68)<br><br><u>(SEE: NOTES under # 67 and #000 AFTER #66. )</u>  |
| 6/11/76      | Copy of letter to J. Costantino from pltff. filed. (69)   |
| 6/17/76      | By Costantino J. --Memo and Order dtd. 6/16/76<br>deleting the word, "spurious" from the memo and order<br>dated 6/1/76 but in all other respects the decision shall<br>remain the same filed. (70)<br><br><u>((N.B.: Letter to CHIEF JUDGE Jacob Mishler got this<br/>done by Costantino, J.))</u> |
| 6/18/76      | <u>Notice of APPEAL filed. Copy mailed to COURT OF APPEALS.</u><br>(71)   |

6/30/76      Copy of letter dtd. 6/11/76 to COURT OF APPEALS from  
                Miss Ellen Coleman filed.

7/2/76 Civil appeal scheduling order filed. (73)

7/12/76 DOCKET FILES put in order by PLAINTIFF on her own time with NO PAY from the US District Court for doing THEIR FILING WORK FOR THEIR FILE CLERKS.

N.B.: USA CITIZENS through TAXES pay THEIR SALARIES!

-----WHY do USA CITIZENS have to do THEIR WORK in THEIR OFFICES

-----With NO financial reimbursement for this WORK by USA

----- GOVERNMENT for WORK by USA CITIZENS???

----- GOVERNMENT for WORK by USA CITIZENS???

PAYMENT FOR CLERICAL WORK DONE expected by the PLAINTIFF

----- FROM: USA GOVERNMENT and US JUDICIARY!

MORE ENTRIES TO COME FROM DEFENDANTS!

SOME DEFENDANTS ARE NOW IN CONTEMPT OF THE US DISTRICT COURT

SOME DEFENDANTS ARE NOW IN CONTEMPT OF COURT OF THE US COURT OF APPEALS.

## CONTEMPT OF USA COURTS BY SOME DEFENDANTS!

MRS. DELIA CRAVEN SMITH  
(NO HIGH SCHOOL)  
AND OSCAR RUBIN -  
ONE YEAR  
MISS ANNE SMITH  
HIGH SCHOOL)

COURT ORDER  
IS LIBEL!  
SIGNED CALUMN K!  
mmms

FILED  
IN CLERK'S OFFICE  
U. S. DISTRICT COURT E.D. N.Y.

\* JUN 1 1976 \*

TIME AM .....  
P.M. ....

X

75-C-2060

MEMORANDUM  
and ORDER

JUN 1 1976



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

MISS MAE M. SMITH  
a/k/a Miss Mary M. Smith,

Plaintiff,

v.

FRED BARONS, FBI Agent; OSCAR G. RUBIN,  
ESQ., LAWYER; et al.,

Defendants.

COSTANTINO, D.J.

Defendants have moved to dismiss this pro se  
complaint on various grounds.

SO DID  
DEFEND-  
ANTS

SEE PAGE TWO \*

Although plaintiff failed to submit papers in  
opposition, this court nevertheless afforded her the  
opportunity to make oral argument in opposition to defendants'

motions to dismiss. The statements made by plaintiff, however,

shed no greater light on her claims than the confusing and

FACTS  
incredible allegations made in her complaint. & REPLEADING.

NOT TRUE  
Defendants contend that the court lacks juris-

diction or in the alternative that the complaint violates

CASE COVERS 30 YEARS PLUS

Fed.R.Civ.P. 8(e)(1). Section 8(e)(1) states that each

averment of a pleading shall be simple, concise and direct.

NIT PICKING

FOR PROFESSIONAL  
LAWYERS.

mmms

67

# PAID ARSONIST

## MEDICAL BILLS & PROPERTY DESTROYED FOR OTHER TENANTS

2.

Plaintiff's statements to the court indicate

NOT TRUE

that [she speculates] as to attitudes toward her and that

NOT TRUE

[she draws conclusions] that [many people] have exerted efforts

PSYCHOPATHIC LIARS

to destroy her welfare, both [physically] and socially. The TENANTS

ARSON - MANY INVOLVED (OTHER)

~~SEE PAGE ONE~~ papers submitted by her and statements made by her bolster SUFFERED

the court's? impression that [the fears asserted] and the

DO NOT FEAR

accusations made by plaintiff are personal suspicion] and

NOT TRUE

~~ASK THE~~ [have no basis in fact.] The many defendants should not be

~~OFFICE~~ subjected to [the expense] of defending spurious allegations ~~NO INVESTIGATION BY~~ COURT

~~OF THE~~

~~(U.S. ATTORNEY,~~

~~PROOFS IN~~

~~THEIR FILES~~

NOT TRUE

FOR A HUMAN LIFE

~~which violate Rule 8(e)(1).~~ ~~SEE ALSO:~~ 6/16/76

REVISION

DEFENDANTS' MOTIONS

The [government's motion] for summary judgment

1968 TO pursuant to 28 U.S.C. § 2680(h) has merit and is granted.

1976.

The court likewise grants the motion of each

REDUNDANT

defendant dismissing the complaint since [it violates Rule

NIT PICKING

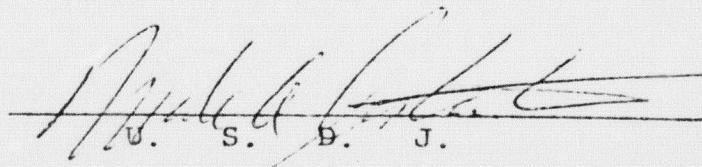
8(e)(1). In view of the fact that plaintiff already has

been granted opportunity to amend her complaint, the case

is now dismissed with prejudice as to all defendants. The

Clerk is directed to enter judgment in accordance with this

opinion.

  
J. S. J.

F.B.I. - NEWARK, N.J.  
& NEW YORK, N.Y. -  
1968 TO 1976

J. S. J.  
J. S. J.

U.S. DISTRICT COURT F.D.R.C.L.  
S. DISTRICT COURT E.D. N.Y.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JUN 17 1976

-----x TIME A.M. ....  
MISS MAE M. SMITH  
a/k/a Miss Mary M. Smith,

F.M. ....

75-C-2060

Plaintiff,

v.

MEMORANDUM and  
ORDER

FRED BARONS, FBI Agent; OSCAR  
G. RUBIN, ESQ., Lawyer, et al.,

JUN 16 1976

Defendants.

-----x  
COSTANTINO, D.J.

This court has received a letter from plaintiff dated June 10, 1976, in which she requests modification of certain language contained in this court's Memorandum and Order of June 1, 1976.

After reviewing plaintiff's request this court has concluded that the Memorandum and Order be modified as follows:

NO INVESTIGATION BY COURT

The word "spurious" should be deleted from the following sentence which appears on page 2: "The many defendants should not be subjected to the expense

LIBEL!  
mmw

(70)

of defending spurious allegations  
which violate Rule 8(e)(1)."

OF THE DEFENDANT

In all other respects, however, the decision  
shall remain the same.

So Ordered.

W. A. C. J.

CRIMINAL DEFENDANTS MAKE  
COURT DECISIONS AND COURT  
ORDERS BY USING WELL-PAID  
N.Y.C. LAWYERS! mmr

83-06 Vietor Avenue  
Elmhurst, New York 11373  
June 11, 1976

Chief Judge  
US Court of Appeals  
Second Circuit  
Foley Square  
New York, New York 10007

Dear Sir:

U.S. COURT OF APPEALS  
SECOND CIRCUIT  
CIVIL CASE #76-7299  
OCT. 1976 HEARING

RE: Civil Case 75 C 2060  
US District Court, Eastern Division of NY  
Brooklyn, New York 11201  
Dismissal by Court Order -- June 1, 1976

On May 26, 1976 in Court Room # 1 with the Honorable Judge Mark A. Costantino presiding, and with the Plaintiff Pro Se, Miss Mae M. Smith, and some of the lawyers for the many defendants present, I, Miss Ellen Coleman, was a witness to what was said and what was done. I am a mature business woman and I have been a friend of Miss Smith from 1964 through 1976.

A grave miscarriage of justice occurred, and the Court Room was a laughfest for both the Judge and the attorneys for the defendants, and each time the Plaintiff tried to defend herself loud belly laughs from Judge Costantino stopped her in the middle of statements or sentences. At one point when the lawyers for the defendants were laughing, Miss Mae M. Smith turned to them and said, "Cut it out." But for fear of jeopardizing her case the Plaintiff did not dare to say the same to Judge Costantino. However, Miss Smith did ask the Judge this, "Since this Court session is being conducted in so facetious a manner, does the Plaintiff have the Court's permission to do the same?" No reply from Judge Costantino.

Judge Costantino said, "We should have had a Court Reporter here to record all of this." No one from the Court came to record the proceedings, but I carefully observed all that was said and done during that short Court session, and I here record all that happened.

At the beginning of the Court hearing, the lawyers for the defendants suggested that Assistant US Attorney, Cyril Hyman, Esq., defend first his Client, Frederick V. Behrends, FBI Agent, and Mr. Hyman agreed. It seemed that his Docket File was either incomplete or inaccurate, and he was most inadequate in defending his Client. The Plaintiff, a non-lawyer, was

easily able to contest all that he said, and win against him. During this time Judge Costantino said, "You, Miss Smith, will have your day in Court." And, "Gentlemen that throws out your claim of statutes of limitations." Why then on June 1, 1976 did Judge Costantino reverse his verbalized decisions in Court on May 26, 1976?

After being defeated Cyril Hyman, Esq. sat down at a table near the desk of Judge Costantino and put his head down into both of his hands.

Then Judge Costantino suggested that each of the attorneys for the defendants say who they are and who their Clients are. One by one each of them spoke, and only three of them made any effort to defend their Clients. Oscar G. Rubin, Esq., NYC lawyer, a defendant, said, "I am one of the defendants; the Plaintiff claims I slandered her twenty years ago." Miss Smith replied, "That is not true; the repleading gave the Court different information." When Miss Smith could not see what Rubin was doing, Rubin was winking at another attorney. Was Rubin telling that lawyer that the case was in the bag for them? I was seated behind them; I could see everything.

The lawyer for Miss Darlene Ziomek said, "The Plaintiff claims my Client took the Personnel Files for the Plaintiff and read the contents." Miss Smith said, "That is the truth."

The lawyer for States Marine -Isthmian Agency, Inc. said, "The Plaintiff claims she was forced to work over forty hours a week without pay; she did not work over forty hours a week." Miss Smith said, "That is not the truth." Then Miss Smith asked that lawyer, "In your rebuttal to me do you contest the work I did for SMI, or merely my job title there?" No reply from that lawyer.

When the lawyer for the Jewish Guild for the Blind, Inc. introduced himself, he made no effort to defend his Client against the allegations. Judge Costantino said, "I thought that Social Service Agencies did good for people." That lawyer did not reply. Miss Smith volunteered, "Mr. Walter Wachtel, who was my supervisor, is now deceased."

When all of the lawyers had completed introducing themselves,

Miss Mae M. Smith tried to defend herself, and in spite of the many belly laughs she remained composed and continued. Miss Smith said, "Arson and attempted murder were committed against me in December, 1974, and I believe that this was done because I have been very active for twenty-two years trying to clear my good name." Laughter from Judge Costantino and a question,

"Did he hypnotize you?" Then Miss Smith tried to explain that she visited the office of Doctor Hyman Chartock for medical regression to gain facts about the night of the fire for the NYC Fire Marshals. Cyril Hyman, Esq. said the word, psychiatrist, about six times in about fifteen minutes to try to damn the Plaintiff for having visited Doctor Chartock, a psychiatrist. The Plaintiff paid Doctor Chartock \$300.00 to try to gain information to catch and have prosecuted a criminal; Miss Smith previously paid \$50.00 to Miss Lynne Gordon, a hypnotist, to try to gain the same information; Miss Gordon recommended Miss Smith to Doctor Chartock.

Miss Smith attempted to defend herself against the allegations by her former office employers saying: "I have prayed the 35th Psalm of the Bible against my enemies, and this has been used against me to say that I personally threatened a former boss." Judge Costantino said, "There will be no discussion of the Bible in this Court." Why? Why is a discussion of the Bible an offense in the US District Court?

Miss Smith resumed: "These employers say that Rubin said that I am a black woman posing as a white woman, and that I had a black baby out of wedlock; neither is true." No response from Judge Costantino.

Miss Smith then said, "I had a four-hour meeting with Inspector Renzulli, of the US Postal Inspection Service in September, 1973, and he said....." Miss Smith was not allowed to complete her statement; belly laughs from Judge Costantino interrupted her after he said, "A four-hour meeting." Apparently the Judge thought that this was cause for laughter.

Miss Smith told the Court of her meeting with Frederick V. Behrends, FBI Agent, in January, 1974, and how she intuitively knew that Behrends had gained the information needed to clear her name. More laughter from Judge Costantino and no opportunity for the Plaintiff to adequately defend herself.

Judge Costantino reprimanded the Plaintiff for trying to make herself heard by trying to face both the Judge and the lawyers for the defendants. Miss Smith said, "I have never previously been in this position before, and I was trying to be polite by not turning my back on the lawyers." Judge Costantino said, "Face me and talk to me; not to them."

The Plaintiff has not been able to get a lawyer to defend herself for twenty-two years because no lawyer will take a case against another lawyer, and because Oscar G. Rubin, Esq., NYC lawyer, told the Plaintiff from 1955 through 1964 that nothing could be done for her legally, and since 1964 Oscar G. Rubin, Esq. has made every effort to see that the Plaintiff can not get any legal help to clear her good name. IF Rubin is NOT guilty WHY would Rubin expend so much effort for so many years to make certain that the Plaintiff gets NO legal help to clear her good name? If he were innocent of the charges against him, it should not matter to him one way or the other. IS Oscar G. Rubin, Esq. severely mentally ill? How many other decent, human lives have been completely destroyed by Rubin? Were there other judgements against Rubin? For the same reason? Are there now other judgements against Rubin? How does one get this information when one is not a lawyer?  
US COURT OF APPEALS: Please investigate! US DISTRICT COURT: Please investigate!

{ The Plaintiff Pro Se, Miss Mae M. Smith, is offering to submit to lie detector tests (Polygraph tests), voice stress tests, and/or to truth serum tests (sodium pentathol) WITHOUT any invasion of her personal privacy, which would be against all USA Laws, to prove that all that has been done to her in offices from 1954 through 1976 has been truthfully told by her, and that all that happened in the US District Court on May 26, 1976 is/here recorded the absolute truth.

US COURT OF APPEALS: There is NOTHING you can name that has NOT been taken from Miss Mae M. Smith, Plaintiff Pro Se, from 1946 through 1976! EVERYTHING has been taken from Miss Smith over and over again. Yet on June 1, 1976 Judge Costantino was solely concerned about the few dollars spent by the defendants to defend themselves with lawyers. HIS dismissal dated June 1, 1976 says so. READ IT! Which human LIFE in the USA is worth only those few dollars spent by the defendants for lawyers?

Why did Judge Costantino overrule his own verbalized favorable decisions in Court on May 26, 1976 with his own Court order dated June 1, 1976? Why does Judge Costantino choose to have the defendants in this legal case continue to destroy the life of the Plaintiff, and to rule the life of the Plaintiff? Why does Judge Costantino choose to have the defendants force the Plaintiff to have absolutely no life of her own? And to be forced to remain in NYC and in NYS so that the defendants, made more powerful by Judge Costantino's decision, can continue the destruction of the life of Miss Mae M. Smith with psychopathic lies for job references? Now they can feel free to destroy any other employee who ever works for their companies in offices.

This case is NOT unique in the USA nationally! From 1946 through 1976 there have been and are innumerable cases in the Courts with Plaintiffs pleading for their lives and their good names, and their rights as USA citizens. Mothers and fathers, and single men and single women have had their lives and the lives of their families destroyed solely because they had to work for a living, and because they worked in OFFICES in private business and in government offices. Our Federal government passed many laws from 1960 through 1974 called "privacy laws" to try to stop this wanton destruction of humanity nationally in offices. Invasion of the privacy of the Plaintiff is NOT the issue in this case, but those Federal laws do cover this case. Deliberate perjury by the defendants, and the sick, malicious destruction of the life of the Plaintiff IS the main issue in this case. It seems that "blue collar" workers and people in service positions in the USA have never stooped to the low depths of OFFICE executives and personnel managers to destroy humanity. To date there are no cases against those people!

There are TWO unique points in this civil case, which should be a criminal case since 1974; a NYC lawyer, RUBIN, chose to destroy the life of the Plaintiff by using his JOB TITLE and profession to give weight to the sick filth out of his mouth. These employers should have called the NYC police after he spat out his projections of his life, by telephone. Also, the OFFICE WORKERS, family members of the Plaintiff are involved, and usually families do NOT vilify other family members publicly with witnesses to their heinous crimes. NO shame; NO pride; NO religious beliefs. NO LAWYER for the DEFENDANTS contested the MAIN ISSUES in COURT: sick slander by the defendants and the destruction of the LIFE of the Plaintiff.

Sincerely,

*Ellen Coleman*  
(Miss) Ellen Coleman

EC/

UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT

76C - 7299

Case Title: 28 USC 1343

Conspiracy to destroy the life of the Appellant

APPEAL; PETITION FOR REVIEW

U.S. District Court  
Eastern Division of New York

BRIEF FOR APPELLANT; APPENDIX; EXHIBITS

Miss Mae M. Smith  
APPELLANT PRO SE

83-06 Vietor Avenue  
c/o Coleman Family  
Elmhurst, New York 11373